

Providence/Bristol County Superior Court

Case Summary

Case No. P2-2009-3192BG

YARA CHUM

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Location: **Providence/Bristol County
Superior Court**

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Filed on: **10/01/2009**

Case Information

Offense	Statute	Degree	Offense Date	Filed Date	Case Type: Felony - Gun Calendar Case Status: 03/23/2010 Closed
Jurisdiction: Providence Police Department					
1. FELONY ASSAULT	11-5-2(a)	F	02/28/2009	10/01/2009	
Offense Reports					
Agency: Providence Police Department 325 Washington Street Providence, RI, 02903					
2. FELONY ASSAULT	11-5-2(a)	F	02/28/2009	10/01/2009	
Offense Reports					
Agency: Providence Police Department 325 Washington Street Providence, RI, 02903					
3. CONSPIRACY/FELONY	11-1-6	F	02/28/2009	10/01/2009	
Offense Reports					
Agency: Providence Police Department 325 Washington Street Providence, RI, 02903					
4. CARRY FIREARM/VIOLENT CRIME	CONV	F	02/28/2009	10/01/2009	
Offense Reports					
Agency: Providence Police Department 325 Washington Street Providence, RI, 02903					
5. DISCHARGE FIREARM/VIOLENT CRIME	11-47-3.2(a)	F	02/28/2009	10/01/2009	
Offense Reports					
Agency: Providence Police Department 325 Washington Street Providence, RI, 02903					

Related Cases

62-2009-04208 (Related Case Number)

SU-11-0150 (Related Case Number)

SU-11-0254 (Related Case Number)

Statistical Closures

03/23/2010 Disposed at Trial

03/23/2010 Disposed at Trial

Warrants

Superior Court Warrant - CHUM, YARA (Judicial Officer: Krause, Associate Justice Robert D.)

01/12/2010 04:00 PM Quashed

01/11/2010 11:06 AM Issued

Bond: \$0.00

Bonds

Property Bond #PS-09-014836

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12/02/2009
Counts: 1

Posted

Party Information

Plaintiff State of Rhode Island

Defendant CHUM, YARA

DOB: [REDACTED]
SID: [REDACTED]

CARON, THERESE M.
Court Appointed

Agency PROVIDENCE POLICE DEPARTMENT

SID: [REDACTED]

Dispositions

- 03/23/2010 **Disposition** (Judicial Officer: Krause, Associate Justice Robert D.)
1. FELONY ASSAULT
Found Guilty By Jury
- 03/23/2010 **Disposition** (Judicial Officer: Krause, Associate Justice Robert D.)
2. FELONY ASSAULT
Found Guilty By Jury
- 03/23/2010 **Disposition** (Judicial Officer: Krause, Associate Justice Robert D.)
3. CONSPIRACY/FELONY
Not Guilty By Judgment Acquittal
- 03/23/2010 **Disposition** (Judicial Officer: Krause, Associate Justice Robert D.)
4. CARRY FIREARM/VIOLENT CRIME
Dismissed 48A
- 03/23/2010 **Disposition** (Judicial Officer: Krause, Associate Justice Robert D.)
5. DISCHARGE FIREARM/VIOLENT CRIME
Found Guilty By Jury
- 06/09/2010 **Sentence** (Judicial Officer: Krause, Associate Justice Robert D.)
1. FELONY ASSAULT
Criminal Sentence
Condition - Adult:
1. Term to Serve, Judge: JUDGE KRAUSE , 10Y 06/09/2010, Active 06/09/2010
Condition - Adult:
1. Total Assessments, Judge: JUDGE KRAUSE \$1675.00, 06/09/2010, Active 06/09/2010
- 06/09/2010 **Sentence** (Judicial Officer: Krause, Associate Justice Robert D.)
2. FELONY ASSAULT
Criminal Sentence
Condition - Adult:
1. Term to Serve, Judge: JUDGE KRAUSE Concurrent with count 1, 10Y 06/09/2010, Active 06/09/2010
- 06/09/2010 **Sentence** (Judicial Officer: Krause, Associate Justice Robert D.)
5. DISCHARGE FIREARM/VIOLENT CRIME
Criminal Sentence
Condition - Adult:
1. Full Sentence, Judge: JUDGE KRAUSE , 10Y 06/09/2010, Active 06/09/2010
Condition - Adult:
1. Term to Serve, Judge: JUDGE KRAUSE Consecutive to counts 1 & 2, 5Y 06/09/2010, Active 06/09/2010
Condition - Adult:
1. Suspended, Judge: JUDGE KRAUSE , 5Y 06/09/2010, Active 06/09/2010
Condition - Adult:
1. Probation, Judge: JUDGE KRAUSE NON-PAROLABLE, 5Y 06/09/2010, Active 06/09/2010

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Case Events

03/26/2009 Initial Case Data Entry

03/26/2009 Felony Initial Appearance

03/26/2009 Complaint Filed

03/26/2009 Referred to the Public Defender

03/26/2009 Surety Bail Set

03/26/2009 Want of Bail Defendant is Committed

07/01/2009 Notice of Property Lien Filed

10/01/2009 Initial Case Data Entry

10/22/2009 Charge, Disposition Changes

10/27/2009 Information Filed
Party: Plaintiff State of Rhode Island

11/12/2009 Case Passed for Arraignment

11/19/2009 Defendant Arraigned and Pleads Not Guilty

11/19/2009 Arraignment Event

11/19/2009 Pre-Trial Notice Issued

11/19/2009 Surety Bail Set

11/20/2009 Entry of Appearance
Party: Court Appointed Attorney Dion, Todd

11/20/2009 No Contact Order

11/20/2009 Affidavit of Bail Filed
Party: Defendant CHUM, YARA

11/20/2009 Recognizance Filed
Party: Defendant CHUM, YARA

11/25/2009 Court Appointed Attorney Letter Sent

11/27/2009 Letter Court Appoints Attorney

12/02/2009 Personal Recognizance Set

12/07/2009 Motion for Discovery and Inspection
Party: Defendant CHUM, YARA

01/07/2010 Defendant Does Not Appear

01/11/2010 Warrant Issued

01/12/2010 Bench Warrant Cancelled

01/12/2010 Defendant Held Without Bail

01/12/2010 Bench Warrant Cancelled

01/14/2010 Motion for Statement of Promises, Rewards and Inducements
Party: Defendant CHUM, YARA

01/14/2010 Motion for Discovery and Inspection
Party: Defendant CHUM, YARA

01/14/2010 Motion for Exculpatory Evidence
Party: Defendant CHUM, YARA

01/14/2010 Motion to Furnish Evidence Favorable to the Accused
Party: Defendant CHUM, YARA

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01/14/2010 Motion to Suppress
Party: Defendant CHUM, YARA

01/14/2010 Motion to Suppress Statements
Party: Defendant CHUM, YARA

01/19/2010 Response to Defendant's Request for Discovery and Inspection
Party: Plaintiff State of Rhode Island

01/19/2010 Date Deleted

01/19/2010 Request for Discovery and Alibi
Party: Plaintiff State of Rhode Island

01/21/2010 Defense Not Ready

01/27/2010 State's Supp Response to Motion for Discovery & Inspection
Party: Plaintiff State of Rhode Island

01/28/2010 Pending Further Investigation

02/16/2010 Case Passed for Trial

03/05/2010 Motion to Suppress
Party: Defendant CHUM, YARA

03/05/2010 Motion to Furnish Evidence Favorable to the Accused
Party: Defendant CHUM, YARA

03/09/2010 Response to State's Request for Discovery and Alibi
Party: Defendant CHUM, YARA

03/09/2010 Motion to Compel
Party: Defendant CHUM, YARA

03/10/2010 State's Supp Response to Motion for Discovery & Inspection
Party: Plaintiff State of Rhode Island

03/10/2010 State's Supp Response to Motion for Discovery & Inspection
Party: Plaintiff State of Rhode Island

03/15/2010 State's Supp Response to Motion for Discovery & Inspection
Party: Plaintiff State of Rhode Island

03/17/2010 Case Opens to Jury/Trial Proceeds

03/23/2010 Trial Proceeds and Concludes

03/23/2010 Jury Returns Verdict

03/23/2010 Remanded to the Adult Correctional Institution
Party: Defendant CHUM, YARA

03/23/2010 Exhibits Filed with Clerks Office

03/23/2010 48A Dismissal Filed
Party: Plaintiff State of Rhode Island

03/23/2010 Other Document

03/23/2010 Disposed at Trial

03/26/2010 Charge, Disposition Changes

03/26/2010 Charge, Disposition Changes

04/16/2010 Memorandum Filed
Party: Defendant CHUM, YARA

05/26/2010 Order Withdraw Exhibits/Transcripts

06/02/2010 Motion Subpoena Duces Tecum
Party: Plaintiff State of Rhode Island

06/04/2010 Granted

06/04/2010 Order Entered

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06/09/2010 Completed

06/11/2010 Notice of Appeal Supreme Court

09/30/2010 Motion to Proceed in Forma Pauperis
Party: Defendant CHUM, YARA

09/30/2010 Motion
Party: Defendant CHUM, YARA

10/08/2010 Granted

06/15/2011 Motion for Transcript
Party: Defendant CHUM, YARA

06/15/2011 Entry of Appearance
Party: Private Attorney ESSINGTON, KATHERINE C.

06/20/2011 Other Document

06/20/2011 Order for Transcript
Party: Plaintiff State of Rhode Island

06/20/2011 Order for Transcript
Party: Defendant CHUM, YARA

07/21/2011 Transcript Filed

07/22/2011 Letter, Transcript Sent to Supreme Court

08/03/2011 Case Appealed to Supreme Court

09/28/2011 Other Document

12/04/2012 Case Received from Supreme Court

12/18/2012 Completed

04/30/2013 Other Document

05/13/2013 Completed

05/28/2013 Representation Problem

06/12/2013 Representation Problem

06/14/2013 Court Appointed Attorney Letter Sent

06/14/2013 Court Appointed Attorney Letter Sent

06/24/2013 Representation Problem

06/25/2013 Letter Court Appoints Attorney
Party: Court Appointed Attorney CARON, THERESE M.

07/02/2013 Order Withdraw Exhibits/Transcripts

07/08/2013 Defense Attorney To Enter

09/17/2013 Defense Not Ready

11/07/2013 Date Vacated by Judge

11/18/2013 Date Vacated by Judge

02/03/2014 Entry of Appearance by Attorney General
Party: Prosecutor MCCONAGHY, JEANINE P.

02/05/2014 No Court Sessions

02/07/2014 No Court Sessions

02/25/2014 Pending Further Investigation

04/24/2014 Pending Further Investigation

07/16/2014 Pending Further Investigation

09/09/2014 Pending Further Investigation

10/10/2014 Prosecutor Unavailable

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10/16/2014 Pending Further Investigation
 10/29/2014 Pending Further Investigation
 08/20/2015 Case Transmitted to Supreme Court
 01/19/2016 Order for Transcript
 Party: Defendant CHUM, YARA
 03/01/2016 Notice of Delinquency
 03/03/2016 Transcript Filed
 03/03/2016 Letter, Transcript Sent to Supreme Court
 03/09/2016 Case/Exhibits Transferred to Supreme Court
 07/27/2016 Delinquency Letter Returned Undeliverable
 06/05/2017 Case Received from Supreme Court
 06/05/2017 Transcript Filed in Vault
 06/05/2017 Transcript Filed in Vault
 01/24/2018 File Received From Record Center
 02/26/2018 File Transferred to Records Center
 09/29/2020 File Received From Record Center

Hearings

11/12/2009 **Pre-Arraignment Conference** (9:00 AM) (Judicial Officer: Burke, Magistrate Patrick T.)
Case Passed for Arraignment
 11/19/2009 **Arraignment** (9:00 AM) (Judicial Officer: Burke, Magistrate Patrick T.)
Defendant Appears, Is Arraigned and Pleads Not Guilty
 01/07/2010 **Pre Trial Conference** (9:30 AM) (Judicial Officer: Krause, Associate Justice Robert D.)
Defendant Does Not Appear
 01/21/2010 **Pre Trial Conference** (9:30 AM) (Judicial Officer: Krause, Associate Justice Robert D.)
Defense Not Ready
 01/26/2010 **Pre Trial Conference** (9:30 AM) (Judicial Officer: Krause, Associate Justice Robert D.)
Date Deleted
 01/28/2010 **Pre Trial Conference** (9:30 AM) (Judicial Officer: Krause, Associate Justice Robert D.)
Pending Further Investigation
 02/16/2010 **Pre Trial Conference** (9:30 AM) (Judicial Officer: Krause, Associate Justice Robert D.)
Case Passed for Trial
 03/15/2010 **Trial** (9:30 AM) (Judicial Officer: Krause, Associate Justice Robert D.)
Occurred
 06/04/2010 **State's Motion** (9:30 AM) (Judicial Officer: Krause, Associate Justice Robert D.)
Heard and Granted
 06/09/2010 **Sentencing** (9:30 AM) (Judicial Officer: Krause, Associate Justice Robert D.)
Completed
 10/08/2010 **Motions** (9:30 AM) (Judicial Officer: Carnes, Associate Justice William E., Jr.)
Heard and Granted
 12/18/2012 **Advisement Supreme Court Decision** (9:30 AM) (Judicial Officer: McBurney, Magistrate John F., III)
Completed
 05/13/2013 **Status Conference** (9:30 AM) (Judicial Officer: Krause, Associate Justice Robert D.)
Completed
 05/28/2013 **Determination of Attorney Representation Problem** (9:30 AM) (Judicial Officer: Krause, Associate Justice Robert D.)

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06/12/2013	Determination of Attorney Representation Problem	(9:30 AM)	(Judicial Officer: Krause, Associate Justice Robert D.)
06/24/2013	Determination of Attorney Representation Problem	(9:30 AM)	(Judicial Officer: Krause, Associate Justice Robert D.)
07/08/2013	Determination of Attorney Defense Attorney to Enter	(9:30 AM)	(Judicial Officer: Krause, Associate Justice Robert D.)
09/17/2013	Status Conference Defense Not Ready	(9:30 AM)	(Judicial Officer: Krause, Associate Justice Robert D.)
11/18/2013	Status Conference Date Vacated by Judge	(9:30 AM)	(Judicial Officer: Krause, Associate Justice Robert D.)
12/03/2013	Status Conference Date Vacated by Judge	(9:30 AM)	(Judicial Officer: Krause, Associate Justice Robert D.)
02/05/2014	Status Conference No Court Sessions	(9:30 AM)	(Judicial Officer: Krause, Associate Justice Robert D.)
02/25/2014	Status Conference Pending Further Investigation	(9:30 AM)	(Judicial Officer: Krause, Associate Justice Robert D.)
04/24/2014	Status Conference Pending Further Investigation	(9:30 AM)	(Judicial Officer: Krause, Associate Justice Robert D.)
05/21/2014	Status Conference Occurred	(9:30 AM)	(Judicial Officer: Krause, Associate Justice Robert D.)
07/16/2014	Status Conference Pending Further Investigation	(9:30 AM)	(Judicial Officer: Krause, Associate Justice Robert D.)
09/09/2014	Status Conference Pending Further Investigation	(9:30 AM)	(Judicial Officer: Krause, Associate Justice Robert D.)
10/10/2014	Status Conference Prosecutor Unavailable	(9:30 AM)	(Judicial Officer: Krause, Associate Justice Robert D.)
10/16/2014	Status Conference Pending Further Investigation	(9:30 AM)	(Judicial Officer: Krause, Associate Justice Robert D.)
10/29/2014	Status Conference Pending Further Investigation	(9:30 AM)	(Judicial Officer: Krause, Associate Justice Robert D.)

Bond Settings

03/26/2009	Bond Setting Surety \$0.00
11/19/2009	Bond Setting Surety \$0.00
12/02/2009	Bond Setting Personal Recognizance \$0.00
01/12/2010	Bond Setting Held Without Bail

Financial Information

Defendant CHUM, YARA
Total Financial Assessment
Total Payments and Credits
Balance Due as of 10/19/2020

1,675.00
0.00
1,675.00

06/09/2010 Transaction Assessment

1,675.00

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Providence Incident Report Summary

Print Date/Time: 10/19/2020 14:32
Login ID: lprete
Case Number: 2009-00020984

Providence Police Department
ORI Number: RI0040900

Case

<p>Case Number: 2009-00020984 Location: 33 PEACH AVE 1 Providence, RI 02906 Reporting Officer ID: 10048 - Richards</p>	<p>Incident Type: Assault, Felony Occurred From: 03/01/2009 17:25 Occurred Thru: 03/01/2009 17:26 Disposition: Disposition Date: Reported Date: 03/01/2009 17:29 Sunday</p>
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Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	State	13A	11-5-2	FELONY ASSAULT/ DANG. WEAPON OR SUBSTANCE	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Suspect	1	PETERSON, ERIN	83 CHESTNUT AVE CRANSTON, RI		White	Female	[REDACTED] 21
Suspect	2	Tep, Samnang	757 DYER AVE LEFT Cranston, RI 02910		Asian	Male	[REDACTED] 23
Suspect	3	CHUM, YARA	220 STERLING AVE 3 Providence, RI 02909	(401)431-3329	White	Male	[REDACTED] 20
Victim	1	[REDACTED]	[REDACTED]		White	Male	[REDACTED] 42
Victim	2	[REDACTED]	[REDACTED]		White	Male	[REDACTED] 34
Victim	3	[REDACTED]	[REDACTED]		White	Male	[REDACTED] 27

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
3327 J	[REDACTED]		03/25/2009 00:00		17
34583 A	PETERSON, ERIN		03/27/2009 06:30	Turned Self In	21
34836 A	Tep, Samnang	RISP BARRACKS wickford, RI	04/05/2009 13:00	Warrant/Capias	23

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
03/01/2009	Evidence (not drugs/Non-IBR)	Other			one projectile	11902	1

Vehicles

No.	Role	Vehicle Type	Year	Make	Model	Color	License Plate	State
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OfficerID: Jrichards

On 03/01/09 at approximately 17:31 hours police responded to 33 Peach Ave for shots fired. Upon arrival police spoke with the victims James Mcardle DOB [REDACTED] Lawrence Saraceno DOB [REDACTED] and James Montiero DOB [REDACTED] who all stated they were standing in front of 33 Peach Ave and 2 Asians males approached them stating your boy Frank smashed my boys windows last night. The victims described the 2 male subjects one wearing a shiny blue baseball jacket and the other one as wearing a gray hooded sweatshirt. The victims stated the male subject with the shiny jacket said shoot these punks. The other male subject with the gray hoodie pulled a gun from his waistband a shot one round at the victims. The victims ran into 33 Peach Ave apt 1. The bullet went through the railing on the front porch then striking the front door. Police located a spent round on the floor as you entered the apartment. Car 280 Sgt. Ziegmayer was notified and responded to the scene. Detective Otrando and Detective Riley responded to the scene. Detective Masse from BCI responded to the scene and took photos of the scene and seized the spent round. The victims responded to Central Station to give a formal statement to detectives.

BCI supplement

On 3-1-09 at approx. 18:05 hrs. BCI Det. Masse responded to the aforementioned location. Upon arrival photographs were taken of the scene. A projectile was seized from the floor near the front door. All photographs taken were downloaded into secured images. The projectile seized was forwarded to property for safekeeping.

Detective Otrando

On 3-1-09 Detectives responded to 33 Peach Street for a report of shots fired. Upon arrival Detective located two victims and one witness to this shooting, all of which responded to Detectives and filed a formal statements identifying Yara Chum and Samnang Tep as being responsible for the shooting. One victim states that he also seen a young chubby white male who he knows as [REDACTED]. After further investigation police learned that these two asian males were members of the Young Blood Street Gang and were approached by Erin Murray [REDACTED] who asked them to confront Frank Meseck who she believed smashed the windows to her home.. It was learned that Erins Husband Scott Peterson, also a Young Blood gang member was incarcerated at the Donald Wyatt Detention Center for unrelated charges. Detectives obtained phone records from Donald Wyatt and were able to monitor conversations with his wife Erin Murray Peterson and Erins mother Barbara Murray. In these conversations Detectives monitored Scott directing Erin to call Yara Chum and that he would take care of it. Detectives also monitored Barbara Murray conversing with Scott Peterson stating "we know what to do you trained us well" Barbara Murray also stated that they would take care of it on their end. During this investigation officers learned that Frank Meseck had an active warrant out of Cranston for malicious damage on the Murray home from the previous night (2-28-09). Meseck was interviewed and gave the following account. Meseck states that he was robbed by [REDACTED] and another unknown male, Meseck states that after he was robbed he went to the Murray Home where he knows [REDACTED] to stay. Meseck denies breaking the window to the home. Meseck reports that on 3-1-09 at approximately 11:30am he was contacted by [REDACTED] who stated that he was on his way to Mesecks house and he was going to kick in the door with a .44 Meseck states that this term is known to him as a weapon. Arrest warrants were issued for the following subjects. Yara Chum, conspiracy and 2 counts of ADW, Samnang Tep for conspiracy, 2 counts of ADW and 1 count possession of a firearm while committing a crime of violence, Erin Murray aka Peterson for conspiracy and 2 counts of ADW and Barbara Murray for conspiracy and 2 counts of ADW. On 3-25-09 [REDACTED] was apprehended and turned over to YSB. Barbara Murray was located and arrested at her home in Cranston and Yara Chum was located by the Gang Unit on Sterling Ave in Providence. Chum and Murray were held for the next session of 6th district court. Erin Murray and Samanang Tep have not been located at this time. Investigation Continues....

GANG UNIT SUPPLEMENT

On march 25, 2009 at approximately 8:30 pm, members of the Gang Unit to include patrolman M. Rawnsley and Detective Peter Chabot of the Rhode Island State Police were advised that members of the Providence Police Department Detective Division obtained an Affidavit and Arrest Warrant for a known and self admitted member of the Young Blood Street Gang (Y.B.) YARA CHUM [REDACTED] OF 220 STERLING AVE, PROVIDENCE RI for assault with a deadly weapon and possession of a firearm. Based on this active affidavit and arrest warrant, Police set up a stationary post at Chum's residence.

At approximately 9:54 pm, Police observed Chum exit 220 Sterling Ave and enter a black 2003 Acura two door hatch back bearing Rhode Island registration QK-983. As Chum drove away from the residence, Police activated their emergency equipment, ultimately stopping him at the intersection of Webster Ave and Clarence Street. After confirming the operator was Chum through his Rhode Island license, he was advised of the warrant and placed in custody without incident. Patrolman Gamio who arrived on scene later

transported Chum to central station where he was held until the next court session. Chum's vehicle was removed from the scene by Grasso's towing.

YSB SUP DET McCarthy

After an investigation respondent, [REDACTED] was charged with two counts of ADW. And one count of Conspiracy and one count of Phone Threats. Respondent was ordered held at RITS per order of Judge D'Ambra.

Detective suppl. Det. Riley

3-27-09: Erin Murry Peterson turned herself in to Police at approx. 0630hrs for an active warrant for two counts of ADW (gun) and one count of conspiracy. Erin Murry Peterson refused to speak with Detectives about the incident.

Det. O'Connell

On April 5, 2009 RISP apprehended Samnag Tep (DOB [REDACTED]) tep was turned over to Providence police and held for next session of court.